

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BILLY MARTIN,

Petitioner,

Case Number: 5:14-CV-14079
HON. JOHN CORBETT O'MEARA

v.

RANDY HAAS,

Respondent.

OPINION AND ORDER DENYING PETITIONER'S
MOTION FOR RELIEF FROM JUDGMENT

This Court transferred Petitioner Billy Martin's *pro se* petition for a writ of habeas corpus, filed under 28 U.S.C. § 2241, to the United States Court of Appeals for the Sixth Circuit as a successive petition. Now before the Court is Petitioner's Motion for Relief from Judgment.

Petitioner seeks relief from judgment under Fed. R. Civ. P. 60(b)(4). Rule 60(b)(4) provides for relief in circumstances where the underlying judgment is void. *Antoine v. Atlas Turner, Inc.*, 66 F.3d 105, 108 (6th Cir. 1995). "A judgment is void under 60(b)(4) 'if the court that rendered it lacked jurisdiction of the subject matter, or of the parties, or if it acted in a manner inconsistent with due process of law.'" *Id.*, quoting *In re Edwards*, 962 F.2d 641, 644 (6th Cir. 1992). Petitioner has failed to demonstrate that this Court lacked jurisdiction over his habeas corpus petition or over the parties or that this court acted in a manner inconsistent with due process.

Accordingly, the Court DENIES Petitioner's Motion for Relief from Judgment (dkt. # 6).

SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: August 7, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 7, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager